



**United States Environmental Protection Agency**  
**Region 1**  
**RCRA Inspection Report**

**Date:** July 30, 2010

**From:** Richard W. Hull, Environmental Engineer  
RCRA, EPCRA and Federal Programs Unit

*R. W. Hull*

**Thru:** Lisa Papetti, Senior Enforcement Coordinator  
RCRA, EPCRA and Federal Programs Unit

**To:** RCRA Enforcement File

**Subj:** RCRA Compliance Evaluation Inspection of NewStream, LLC, Attleboro,  
Massachusetts

**I. GENERAL INFORMATION**

- A. Facility Name:  
NewStream, LLC  
527 Pleasant Street  
Attleboro, MA 02703
- B. Responsible Official:  
Mr. Michael C. Spoor, President  
NewStream, LLC  
527 Pleasant Street  
Attleboro, MA 02703  
(508) 236-6001  
mspoor@newstreamH2O.com
- C. Date of Inspection:  
April 14, 2010
- D. Purpose of Inspection:  
RCRA Compliance Evaluation Inspection (CEI)
- E. Persons Participated in the Inspection:  
Richard Hull, USEPA Office of Environmental Stewardship, RCRA,  
EPCRA and Federal Programs Unit  
  
Mr. Michael C. Spoor, President, NewStream, LLC  
Mr. Josh Hanlon, Technical Director, NewStream LLC

**II. RCRA Reporting/Information Requirements**

- A. Facility Identification Number:  
MAC300005808
- B. Type of Operation:  
Conditionally Exempt Small Quantity Generator (CESQG)
- C. Date of Notification of Hazardous Waste Activity:  
January 24, 2006

**III. General Facility Description**

NewStream, LLC (NewStream) operates a wastewater treatment and antifreeze and specification used oil fuel (SUOF) reclamation facility in Attleboro, Massachusetts. NewStream is located at the former Texas Instruments industrial complex and is bordered by other commercial and industrial facilities and properties. NewStream occupies approximately 90,000 square feet within Building #11 at the industrial complex, employs 20 people and operates 24 hours a day and 7 days per week. NewStream is notified and operates as a federal CESQG and as a state LQG for waste oil.

NewStream operates three distinct treatment and reclamation activities: 1) treating non-hazardous wastewater under the CWT categorical regulations, MADEP sewer connection permit and a City of Attleboro sewer permit; 2) antifreeze reclamation; and 3) SUOF reclamation under a MADEP Class B recycling license. These operations are described in more detail below. Mr. Hanlon indicated that NewStream does not accept, treat or recycle any hazardous waste or waste oil. NewStream has also applied to the MADEP for a Class A recycling permit for the reclamation of off-specification gasoline. At the time of the inspection, Mr. Spoor indicated that the permit had been drafted and public-noticed by the MADEP.

No photographs were taken during the inspection. The inspector was in the presence of NewStream representatives at all times during the inspection.

**IV. Recent Inspection and Enforcement History**

MADEP CEI June 23, 2009  
MADEP CEI March 15, 2006

**V. Physical Inspection**

The following describes the observations made during the physical inspection:

A. Wastewater Treatment

According to Mr. Hanlon, NewStream treats non-hazardous waste wastewater in accordance with 40 C.F.R. Part 437, the concentrated waste treatment categorical pretreatment regulations, and sewer connection permits issued by the MADEP and the City of Attleboro. Non-hazardous wastewater is accepted from various



sources including food processing, pharmaceutical manufacturing, metal working (i.e. copper wire rinsing), wastewaters and contaminated groundwater and leachate. Wastewaters are profiled, including analytical testing, by the generator and reviewed by NewStream prior to acceptance at the facility. Upon arrival, wastewater is tested for pH and free oils as well as visually checked to confirm physical properties. The wastewater treatment process includes:

- Batch treatment in one of eight 10,000-gallon tanks for wastewaters requiring solids (including metals) removal, oxidation/reduction or oil demulsification;
- Equalization in two 250,000-gallon tanks in series;
- Clarification with pH adjustment and coagulation to meet total suspended solids (TSS) limit requirements;
- Biological treatment utilizing moving bed bioreactor (MBBR) technology;
- Final clarification using dissolved air flotation (DAF) for removal of biosolids;
- Solids handling throughout treatment process in cone-bottom settling tanks and plate-frame filter press;
- Discharge to City of Attleboro sanitary sewer system.

Analytical testing conducted by NewStream, as well as by the City of Attleboro, includes periodic testing of sludge to confirm as non-hazardous, quarterly compliance sampling per City of Attleboro sewer connection permit, daily quality assurance testing by NewStream and bi-weekly quality assurance composite sampling by the City of Attleboro. State regulated hazardous waste oil is generated as part of the wastewater treatment process. Solids are managed and shipped as non-hazardous waste.

#### B. Antifreeze Reclamation

According to Mr. Hanlon, NewStream's antifreeze reclamation activities are exempt from the MADEP recycling regulations and do not require a permit because the amount treated is less than the 100 ton per day threshold. NewStream has submitted a filing with the Board of Health and MADEP for the reclamation operations. The reclamation process includes treatment in ion exchange columns with 50% caustic soda and 20-molar muriatic acid. Wastewater generated from the regeneration of the ion exchange columns is treated in NewStream's wastewater treatment system.

#### C. Oil/Water Separation

An oil/water separator is used in the wastewater treatment process for removing oils from oily wastewaters. Waste oil generated from this process, as well as from the maintenance of equipment at NewStream, is collected and managed as state-regulated hazardous waste. NewStream is also allowed, per a MADEP license, to burn waste oil in an on-site waste oil burner, in accordance with license requirements.



#### D. Waste Oil Management

NewStream generates waste oil and oily debris from the oil/water separator within its wastewater treatment process, from filters used in the SUOF reclamation process, and from general equipment maintenance. Some waste oil is burned in an onsite waste-oil burner in accordance with a MADEP issued license. The remaining waste oil is managed as hazardous waste. At the time of the inspection, NewStream was accumulating waste oil and oily debris at 2 locations along the wastewater treatment process and 1 location at the SUOF reclamation process. All of the containers of waste oil that were inspected were labeled as MA01 hazardous waste and were closed.

#### E. SUOF Reclamation

NewStream is permitted by the MADEP to reclaim SUOF and began its reclamation operations in October 2009. NewStream's Class B recycling permit issued by the MADEP allows for the acceptance of used-oils and fuels that meet the specifications set forth in 310 CMR 30.216, which include allowable levels for lead, chromium, arsenic, cadmium, total halogens and flashpoint. Similar to the procedure for accepting wastewater, NewStream requires analytical testing and profiling from the generator for each wastestream, as well as an annual update of the profile for each continuous wastestream. NewStream's permit requires that each incoming load be accompanied with the results of a chlortest conducted by the generator at the time the load was shipped in order to confirm the rebuttable presumption criteria for wastestreams with total halogens above 1,000 parts per million (ppm). A rebuttable-presumption confirmation test would also be conducted at the time of profiling for wastestreams with total halogens above 1,000 ppm. The reclamation process is conducted in a series of tanks which can be heated to the permitted level of 180 degrees F. NewStream can also conduct chemical emulsification in the piping system related to these tanks, but is not permitted to treat within the tanks. As part of the reclamation process, solids are removed using filters. The filters and material captured are managed as oily debris and are accumulated in a 55-gallon drum in the vicinity of the SUOF reclamation process. Wastewater is transferred to the wastewater treatment system. To date, NewStream has generated approximately 6,000 gallons of marketable SUOF that is being stored in a tank until a customer is identified. Potential customers include EMSI which operates a facility adjacent to NewStream, as well as CYN Environmental Services.

### **VI. Records Review**

NewStream maintains a hazardous waste contingency plan and provides hazardous waste training annually to personnel responsible for managing hazardous waste and waste oil at the facility. These elements are not required for a federal CESQG and the documents and records were not reviewed. Waste profiles for select wastewater and SUOF wastestreams were reviewed to confirm that no hazardous waste-bearing wastewater was being accepted at the facility. Review of select profiles showed that all wastestreams reviewed did not contain any constituents above regulatory levels and would not be characterized as

hazardous waste. All of the profiles for SUOF wastestreams since the operation began were reviewed and showed no wastestreams with any hazardous constituents above the specified allowable levels. Review of the shipping documents and manifests for these wastestreams also showed that rebuttable presumption testing was conducted and that no wastestreams were identified as containing chlorinated solvents.

## **VII. Outbrief**

An outbrief was conducted at the conclusion of the inspection. The following people attended the outbrief:

Richard Hull, USEPA

Mr. Michael C. Spoor, NewStream

Josh Hanlon, NewStream

Rick Derby, NewStream

Leslie Arnson, Arnson Environmental, consultant to NewStream

The following issues were discussed during the outbrief:

- NewStream did not have a waste profile for the filtrate removed from the SUOF reclamation process. Because the SUOF is allowed to contain certain amounts of hazardous metals, including lead, cadmium, chromium and arsenic, it was suggested that NewStream analyze the filtrate for metals to determine if it may be hazardous. Subsequent to the inspection, NewStream sampled and analyzed the filtrate for metals and submitted the results to EPA. The results indicated that there were no metals present above the RCRA regulatory threshold.
- EPA inspector suggested that NewStream may change its hazardous waste generator status when it begins recycling of gasoline. If this situation occurs, NewStream should be aware of any newly applicable state or federal RCRA standards and be aware to implement measures to comply with any new requirements.